

**CLAIM 1**

A method for designing a knowledge portal for retrieving, organizing and delivering knowledge to a user belonging to an organization, the method comprising

identifying a community of users belonging to the organization characterized by a common interest with respect to the knowledge;

identifying business processes executed by the users in said community in accordance with strategies of the organization;

**DISCLOSURE**

"[A] 'knowledge portal' is a web-based tool which provides information delivery capability individual knowledge workers who need access to a broad spectrum of knowledge. It retrieves and indexes data or content from multiple knowledge sources and delivers that content to the user organized in a way that is highly relevant and intuitive." Disclosure, page 2.

"The diagram below describes how our method guides the design process by exploiting the natural clustering of an organization's knowledge workers into communities while also maintaining the alignment among the organization's business strategies, its communities, its processes, and the content and organization of the portal." Disclosure, pages 2-3.

"The specific communities\* ... to be supported by the portal are identified, based on the organization's business and knowledge strategies and priorities." Disclosure, page 3.

"\* Community, as used here, means a group of users (employees or others) who share: A common base of knowledge, tools, and processes[;] A common way of conceptualizing or organizing that knowledge[;] A set of peers with whom they typically network or collaborate." Disclosure, page 3.

"The specific ... business practices to be supported by the portal are identified, based on the organization's business and knowledge strategies and priorities." Disclosure, page 3.

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analyzing the business processes to identify specific activities performed in executing said processes and patterns for performing the respective activities; and

"The identified business process (or processes) is decomposed into subprocesses and/or specific activities performed in order to execute the process." Disclosure, page 3.

"Usage scenarios are then developed to understand how the portal might be used to support each specific activity." Disclosure, page 3.

"The collection of usage scenarios is examined for recurring patterns." Disclosure, page 3.

constructing the knowledge portal in accordance with said patterns.

"Understanding the form of the user's specific requests helps identify the most-intuitive way to organize the knowledge and tools within the portal." Disclosure, page 3.

Accordingly, the Disclosure and the inventors' declarations establish conception of the invention described and claimed in the above referenced application prior to April 26, 2001.

Due diligence from a time before the date of the Shetty reference, April 26, 2001, until the constructive reduction to practice of the invention, its June 15, 2001 filing date, is established by the declarations of Jay Anderson, the assignee's attorney having overall responsibility for the application, and Messrs. Limanni and Klein, two of the co-inventors. The activities establishing such diligence are stated in these declarations were follows:

- 1) Prior to April 26, 2001, Atty. Anderson ordered and received results of a search on patentability of the invention disclosed in the Disclosure. Anderson Decl. ¶ 4.

2) Between a time just prior to April 26, 2001 and May 9, 2001, Atty. Anderson reviewed the aforementioned search results and prepared draft claims for a patent application to be filed on the invention of the Disclosure. Anderson Decl. ¶ 5.

3) Because of his backlog of patent application, prosecution and other work, Atty. Anderson decided to send this application to an outside law firm to prepare the application for filing with the U.S. Patent and Trademark Office as soon as reasonably possible, and more quickly than he could have done so. Anderson Decl. ¶ 6.

4) On May 9, 2001, Atty. Anderson called Peter Peterson, a partner in the law firm of DeLio & Peterson, LLC in New Haven Connecticut and a firm that IBM had used previously for this technology, to determine whether his firm could prepare and file the application in an expeditious manner. After receiving an indication that the application could be filed in approximately one month, Atty. Anderson sent the Disclosure and his draft claims to Atty. Peterson and instructed him to prepare the patent application. Anderson Decl. ¶ 7.

5) On May 10, 2001, Mr. Limanni was informed by Jay Anderson, the IBM attorney responsible for the subject patent application, that the subject application would be prepared by outside counsel. Limanni Decl. ¶ 7.

6) On May 14, 2001, Atty. Anderson's administrative assistant sent to Atty. Peterson details of the inventorship of the subject application. Anderson Decl. ¶ 8.

7) On May 23, 2001, Mr. Limanni discussed the Disclosure and other details of the claimed invention in a telephone conference with Atty. Peterson. Limanni Decl. ¶ 8.

8) On May 30, 2001, Atty. Anderson and Mr. Limanni received a draft of the patent application for the claimed invention from Atty. Peterson. Anderson Decl. ¶ 9; Limanni Decl. ¶ 9.

9) On June 1, 2001, Mr. Limanni emailed proposed revisions to Atty. Peterson. Limanni Decl. ¶ 9.

10) On June 4, 2001, Mr. Klein reviewed a draft of the above-referenced patent application and emailed comments on the draft application to Mr. Limanni. Klein Decl. ¶ 7.

11) On June 4, 2001, Mr. Limanni emailed to Mr. Peterson comments on the draft application made by Mr. Klein. Limanni Decl. ¶ 10.

12) On June 5, 2001, Mr. Limanni emailed to Atty. Peterson additional revisions to the draft patent application. On that same day, Mr. Limanni also had an e-meeting via the Internet with some of his co-inventors to review the draft application. Limanni Decl. ¶ 11.

13) On June 6, 2001, Mr. Limanni had a telephone conference with Atty. Jay Anderson to review the claims of the application. On that same day, Mr. Limanni emailed to Atty. Peterson further revisions to the draft patent application. Limanni Decl. ¶ 12.

14) On June 12, 2001, Mr. Limanni received an email from Atty. Peterson suggesting that they talk by telephone on Thursday, June 14, 2001 about the revisions to the draft application. The next day, June 13, 2001, Mr. Limanni emailed to Atty. Peterson revisions to the patent application, and also faxed to Atty. Peterson a revision to the drawings. Limanni Decl. ¶ 13.

15) On June 14, 2001, Mr. Limanni spoke by telephone with Atty. Peterson and Atty. Anderson regarding further revisions to the draft patent application. Limanni Decl. ¶ 14; Anderson Decl. ¶ 10. On that same day, Mr. Limanni and Mr. Klein received by email a revised draft of the patent application, and reviewed same, and Mr. Klein emailed comments on the draft to Atty. Peterson Limanni Decl. ¶ 14; Klein Decl. ¶ 8.

16) On June 15, 2001, after discussing the patent draft application with his co-inventors, Mr. Klein emailed to Atty. Peterson additional, and final, revisions to the draft application. Klein Decl. ¶ 9.

17) On June 15, 2001, Atty. Anderson approved filing of the subject application with the USPTO. Anderson Decl. ¶ 10.

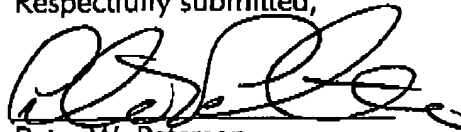
The entire period of time in issue, from April 26 to June 15, 2001 constituted approximately seven (7) weeks. The continuous activity during this time by the inventors and the attorneys working on the patent application clearly constitutes "due diligence" from a time just prior to the Shetty reference date to the constructive reduction to practice of the invention at the time of filing with the USPTO. 37 CFR § 1.131; See, In re Emery,

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188 USPQ 264, 268-69 (BOPI 1974) (nine week period to prepare patent application constitutes reasonable diligence).

Since the only reference cited against the instant application, the Shetty patent publication, has been antedated by the enclosed declarations and supporting evidence under 37 CFR § 1.131, it is respectfully submitted that the application has now been brought into a condition where allowance of the entire case is proper. Reconsideration and issuance of a notice of allowance are respectfully solicited.

Respectfully submitted,



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